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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,957	02/19/2002	Alex Margulis	MP1452	2027
68933 7590 08/17/2007 MARVELL/FINNEGAN HENDERSON LLP c/o FINNEGAN, HENDERSON, FARABOW, GARNETT et. al. 901 NEW YORK AVENUE WASHINGTON, DC 20001-4413			EXAMINER FOTAKIS, ARISTOCRATIS	
			ART UNIT 2611	PAPER NUMBER
			MAIL DATE 08/17/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/076,957

Applicant(s)

MARGULIS ET AL.

Examiner

Aristocratis Fotakis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1, 3 - 5, 7-12, 14 - 17, 19 - 25 is/are pending in the application.
- 4a) Of the above claim(s) 2, 6, 13, 18, 26 - 27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3 - 5, 7, 12, 14 - 17 is/are rejected.
- 7) ☒ Claim(s) 8-11, 19-25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 August 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3-5, 12, 14-16, and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Sih et al. (US PG-Pub 20030086481).

Re claims 1 and 12, Sih discloses of generating interrupts in a transfer of information between a rake receiver and a processor ([0004], *Sih discloses transferring information in CDMA processing with RAKE fingers in a multipath environment*) wherein generating said interrupts comprises generating said interrupts in a transfer of symbols between fingers of said rake receiver and said processor, said interrupts having a rate of generation per unit time independent of a time rate of symbol boundaries of said symbols ([0043],[0047], Fig.7, *Sih discloses symbol boundaries are determined by a counter where interrupts are determined in an offline processing by an arbiter*); wherein

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generating said interrupts comprises generating interrupts (Fig.7) wherein said symbol boundaries ([0043], Lines 1 – 11) comprise a rate that changes with time ([0042], a *separate counter is used to record timing for each finger, where the range of symbol widths ranges from 4 – 128 chips for each finger*) (Paragraphs 0042 – 0043).

Re claims 3 and 14, Sih further discloses generating said interrupts comprises generating said interrupts with a rate asynchronous with respect to the time rate of said symbol boundaries ([0047], Sih discloses symbol boundaries are determined by a counter where interrupts are determined in an offline processing by an arbiter).

Re claims 5 and 16, Sih further discloses generating said interrupts comprises generating said interrupts, wherein said symbol boundaries comprise a constant rate ([0047], Sih discloses symbol boundaries are determined by a counter, Figs.6 - 7).

Re claims 4 and 15, Sih further discloses generating said interrupts comprises generating said interrupts with a fixed rate (Fig.7, Paragraphs 0043 – 0044 and 0047 and Page 7, Col 2, the symbol boundaries comprise a constant rate determined by a counter as discussed above in claims 5 and 16, therefore providing a fixed interrupt rate, [0046])

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Re claims 7 and 16, Sih further discloses generating said interrupts comprises generating global symbol boundaries (timing of the interrupts) at a rate independent of the time rate of said symbol boundaries (see claims 1 and 12).

### ***Response to Arguments***

Applicant's arguments and amendments with respect to claims 1 and 12 have been considered but are moot in view of the new ground(s) of rejection.

Applicant amended independent claims 1 and 12 to include the aspects of claims 6 and 18. However, Sih teaches of the amended limitations as well as claims 7 and 17 as discussed above (please see rejection above of claims 1, 7, 12 and 17).

### ***Allowable Subject Matter***

Claims 8-11, 19-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aristocratis Fotakis whose telephone number is (571) 270-1206. The examiner can normally be reached on Monday - Thursday 7 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh M. Fan can be reached on (571) 272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AF



CHIEH M. FAN  
SUPERVISORY PATENT EXAMINER